

MUNICIPAL CLERK
ATLANTA, GEORGIA

03- -1333

A RESOLUTION BY THE PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

A RESOLUTION AUTHORIZING THE SETTLEMENT OF ALL CLAIMS OF WILLIAM COLLIER AGAINST THE CITY OF ATLANTA AND RICHARD DICKSON, IN THE CASE OF WILLIAM COLLIER V. THE CITY OF ATLANTA, RICHARD DICKSON, CIVIL ACTION FILE NO.: 02MSO20874, FILED IN THE MAGISTRATE COURT OF FULTON COUNTY; TO CAUSE PAYMENT TO BE MADE IN THE AMOUNT OF ONE THOUSAND NINE HUNDRED AND THIRTY-FOUR DOLLARS (\$1,934); AND FOR OTHER PURPOSES.

WHEREAS, on July 2, 2002, Plaintiff William Collier initiated the case of William Collier v. City of Atlanta, Richard Dickson, in the Magistrate Court of Fulton County, claiming that he is entitled to educational incentive pay after attending Antioch Baptist Bible College; and

WHEREAS, pursuant to City of Atlanta's Code of Ordinances Section 144-477.1, the City of Atlanta grants incentive pay to employees who attend degree-granting institutions that are recognized by the United States Department of Education and the American Council on Education Accreditation Programs; and

WHEREAS, William Collier, a firefighter with the City of Atlanta Fire Department, had completed the course requirements for an Associate of Biblical Studies Degree at Antioch Baptist College; and

WHEREAS, William Collier submitted a request to receive educational incentive pay in the amount of \$1,934.00; and

WHEREAS, When the Human Resources Department for the City reviewed his request, it was discovered that Antioch Baptist Bible College was accredited by neither the U.S. Department of Education nor the American Council on Education Accreditation Programs; and

WHEREAS, William Collier's request for educational incentive pay was therefore denied; and

WHEREAS, at a Court ordered mediation, William Collier and the City of Atlanta failed to resolve said matter; and

WHEREAS, at a hearing in the Magistrate Court of Fulton County, Judge Ural Glanville concluded in an Order dated July 17, 2003, that the ordinance is vague and ambiguous based on the fact that the City does not list the agencies it uses in determining accreditation; nor does the ordinance instruct employees to consult with the Personnel Department regarding whether the institution of their choice is accredited by the City's accrediting agencies; and

WHEREAS, the City Attorney considers it to be the best interest of the City to resolve this matter and recommends that the above settlement be entered into; and

WHEREAS, by this settlement, Defendants City of Atlanta and Richard Dickson admit no liability; and

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY RESOLVES that the City Attorney be and is hereby authorized to conclude the settlement of all claims against the City of Atlanta and Richard Dickson, as set forth in Civil Action No.:02MSO20874, Magistrate Court of Fulton County, for the aggregate amount of ONE THOUSAND NINE HUNDRED AND THIRTY FOUR DOLLARS (\$1,934.00).

THE CITY COUNCIL FURTHER RESOLVES that the Chief Financial Officer is authorized to pay the total of ONE THOUSAND NINE HUNDRED AND THIRTY FOUR DOLLARS (\$1,934.00) at the direction of the City Attorney from the account of 1A01529017T31001. Payment shall be in the form of a check in the amount of ONE THOUSAND NINE HUNDRED AND THIRTY FOUR DOLLARS (\$1,934.00), payable to Plaintiff William Collier.